

STATEMENT UNDER PENALTY OF PERJURY

I, Luis Nazario-Maldonado, of legal age, attorney at law, with an office in Arecibo, Puerto Rico hereby state under penalty of perjury as follows:

1. My name and personal circumstances are as set forth above and I am an attorney at law and have an office in Arecibo, Puerto Rico.

2. One of my clients is Cooperativa de Ahorro y Crédito La Candelaria located in Manatí, Puerto Rico and one of the services that I provide to that client is the filing of collection actions.

3. On or around September 20, 2010, the employee of Cooperativa La Candelaria that referred cases for collections to my office, Mr. Joel Collazo Méndez, referred to my office the collection claim against Nelson Vargas and Maria J. Rodríguez. At no point did I receive from Mr. Collazo any information or reference to any bankruptcy filings by any of those persons.

4. As part of the services that I provide to Cooperativa La Candelaria I filed a Rule 60 legal action at the Superior Court of Puerto Rico Vega Baja Part on October 25, 2010.

5. The Court scheduled a hearing in the case for November 23, 2010 and issued the corresponding notice. I submitted the notice to the debtors by certified mail return receipt requested. The noticed submitted to them were returned by the United States Postal Service as UNCLAIMED.

6. At the November 23, 2010 hearing I was substituted as attorney of Candel Coop by attorney Reinaldo Díaz, and he informed me that Mr. Vargas appeared and he notified that he had received the discharge from the debt by the Bankruptcy Court. Mr. Vargas showed a document to Mr. Díaz but he did not provide a copy and the Court granted Candel Coop a term to verify that information. Thereafter Mr. Vargas did not bring any evidence of his discharge in that respect to my office, neither did he refer to us a case number by mail, telephone, fax or electronic mail. Before the November 23, 2010 hearing he did not bring to my attention by mail, telephone, fax, electronic mail or in any other manner such information either.

7. Through Cooperativa La Candelaria I verified the information provided by Mr. Vargas to Mr. Díaz and I was informed that he had filed a bankruptcy petition, case number 09-06871, case that had been dismissed.

8. I submitted an Informative Motion to the Vega Baja Court in that respect. However, at Cooperativa La Candelaria further verifications were made as to the bankruptcy filings of Mr. Vargas and it was confirmed that he had filed a bankruptcy petition filed in the year 1998 for which a discharge was granted in the year 2002. As soon as I was informed of that fact I prepared a motion withdrawing the complaint that was filed in the Vega Baja Court on January 16, 2011.

In testimony of which I execute this statement under penalty of perjury in Arecibo, Puerto Rico this 25 day of June, 2012.

  
LUIS NAZARIO-MALDONADO